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PROGRAMME PLANNING

Proposed medium-term plan for the period 1998-2001

Letter dated 31 October 1996 from the Chairperson of the Third Committee to the Chairman of the Fifth Committee

Further to my letter to you of 4 October 1996, I have the honour to respond to your letter dated 26 September 1996 regarding agenda item 114 (Programme planning), in which you request the views of the Third Committee on the programmes of the proposed medium-term plan for the period 1998-2001 relevant to the work of the Third Committee.

The Third Committee held a special meeting on 23 October dedicated to a discussion of the item on programme planning. Unfortunately, it was not possible for the Committee to arrive at a consolidated set of comments on any of the programmes. I am therefore annexing to the present letter the views of the members of this Committee, organized under the programme headings for ease of reference.

(Signed) Patricia ESPINOSA
Chairperson
Third Committee
of the General Assembly

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ANNEX

Views of the Third Committee on programmes of the proposed medium-term plan for the period 1998-2001

Comments of a general nature

Group of 77 and China

[Original: English]

[30 October 1996]

1. The Group of 77 and China is pleased to respond to the invitation made by the Chairman of the Fifth Committee regarding agenda item 114, Programme planning, which was allocated to the Fifth Committee. Our Group considers that it is very useful to present our views and priorities on the items allocated to the Third Committee as well as to stress our interest in the positive outcome of the consideration of this issue at the Fifth Committee.

2. It has been recognized that the United Nations has achieved a great deal in terms of policy development over the past five or six years, all this in the context of development and development cooperation. It has also been recognized that development involves the integration of economic, social and environmental concerns. This process of integration, particularly of economic and social development, is very much the task of the Third Committee, as was indicated by the Under-Secretary-General for Policy Coordination and Sustainable Development, Mr. Nitin Desai. He emphasized in his statement to the Third Committee that a part of this fresh look at development involves trying to go beyond the North-South rhetoric, towards identifying a basis for development cooperation, a basis for work on development in the United Nations system which rests on shared goals, shared objectives, shared values and shared interests. He emphasized also that the Third Committee has played a crucial role in its areas of activity, and that its role in, inter alia, social development, in the advancement of women and on human rights clearly has a strong component of seeking to identify such shared goals, shared values, shared objectives and shared interests. Another important element in Mr. Desai's statement was his drawing the attention of the Committee to the efforts being made to identify a role for public policy in an environment where Governments are moving increasingly towards a belief in market-based development.

3. He also recognized that the work of the Third Committee on social development issues and on the advancement of women has helped the United Nations to further the efforts towards these goals. In many ways, he said, the great global conferences of the past six years in the United Nations system have been oriented to what we cannot leave to the market. He emphasized that it is the Third Committee which has played a crucial role in injecting into the agenda of the Conferences the focus on improving the condition of the world's women and children, the advancement of women, human rights, the eradication of poverty, employment protection and social integration. He stressed that, even though our

task of policy development is not by any means over, the key issue now is to shift our focus to implementation.

4. In the light of this invaluable assessment of the contribution of the Third Committee to such important questions, it is relevant to emphasize the priorities that our Group may have with respect to the question of programme planning. If the Group decides to limit its support to a few issues, it would be important for delegations themselves to indicate by their own priorities in the matter.

5. The Group of 77 and China is concerned that new and additional resources should be allocated to different programmes in the interest of developing countries in the field of social and economic questions.

Cuba

[Original: Spanish]

1. In general the importance of intergovernmental debate in the process of applying the legislative basis in the preparation and adoption of medium-term programmes deserves to be emphasized.

2. Reference must be made to the primary role of States in the follow-up and implementation of the results of international conferences, including in paragraph 5.6 of subprogramme 5.2 (Advancement of women).

3. Allusions to the provision of technical assistance and advisory services should contain a reference to the principle of consent of States. For example, the wording of paragraphs 12.3 (b) and (c) of programme 12 (Crime prevention and criminal justice) should be amended along these lines.

4. In general we consider that programmes 12, 13 and 21 and subprogrammes 5.2 and 5.4 adequately reflect the priorities included in the legislative basis of items.

5. Special attention within these programmes must be given to activities in support of the basic needs of developing countries in such areas as training, technical assistance and education.

Tunisia

[Original: French]

1. I should like first to reaffirm Tunisia's support for the views expressed by the Chairman of the Group of 77 and China on this subject. I wish, however, also to highlight certain ideas.

2. I am pleased to express here my delegation's satisfaction at the preliminary consideration of questions within the competence of the various

committees of the General Assembly by the committees concerned before they are considered by the Advisory Committee on Administrative and Budgetary Questions.

3. This approach has two advantages. First, it promotes consultation, dialogue, transparency and thus efficiency. Second, it brings the relevant committees into the decision-making process. In addition, it helps to facilitate the work of the Fifth Committee by preparing the ground and by introducing into decision-making considerations which are not solely administrative and budgetary.

4. While all of us here strive for budgetary stringency and administrative efficiency, we are nonetheless aware that our work is primarily political. Whether dealing with action to combat poverty, social development, advancement of women, children's issues, human rights or other aspects of development, the Social, Humanitarian and Cultural Committee, as members will agree, has an eminently political brief.

5. We are thus of the view that the concerns which must guide our choices and those of the Fifth Committee cannot be limited to budgetary considerations. In the context of its consideration of item 114, the delegation of Tunisia wishes to recall that development lies at the heart of the mandate of the United Nations system. It must be emphasized in this regard that the maintenance of development programmes is the chief priority for us. The Organization's financial difficulties cannot, in our view, justify attempts to cut back such programmes on the pretext of budgetary stringency.

6. In conclusion, and in view of the importance for our respective countries of the questions which have been submitted to us for consideration by the President of the General Assembly, Tunisia, which, again, supports this decision, requests adequate time for the Third Committee to study properly the items falling within its mandate.

Algeria

[Original: French]

1. My delegation fully associates itself with the statements made by the non-aligned countries and the Group of 77 and China.

2. The delegation of Algeria wishes to begin by stressing the great importance that it attaches to consideration of the item before the Third Committee today, namely, Programme planning, and emphasizes its great interest in certain aspects of the programmes. It particularly welcomes the opportunity thus afforded the Committee to contribute to improvement of the consultative process for the formulation of the medium-term plan, in accordance with the provisions of General Assembly resolution 41/213.

3. The fact that each of the programmes of the proposed medium-term plan for the period 1998-2001 is being submitted to the Main Committees, including the Third Committee, for their consideration, will lead, in my delegation's view, to greater efficiency and closer coordination in the work of our Organization.

International development cooperation and the role assigned to the United Nations system in this area dictate the need for such coordination so as to ensure that purely budgetary considerations, relating ipso facto to financial circumstances do not dash the hopes generated by the resolutions that we are adopting, with particular reference to the humanitarian aspects of economic and social development.

4. The programmes which will constitute the medium-term plan for the period 1998-2001 must correspond to the mandates stemming from the resolutions we adopt. In the absence of the cohesion that we all seek in view of the consensus underlying our resolutions, the Third Committee runs the risk of negating the purposes of its own work.

5. The austerity measures resulting from the financial crisis which is affecting our Organization must not, in the view of my delegation, lead to reductions or deletions of activities or programmes whose priority nature we are doing our utmost to emphasize here, without mention of the commitments made on various occasions by our Heads of State or Government at the summits organized in recent years to promote economic and social development and human rights. Accordingly, as with other questions, the Committee must have the time it needs for proper consideration of the proposed programmes, thus making its contribution to serious preparation of the medium-term plan.

6. It goes without saying that any limitation, reduction and/or deletion of activities advocated or sought for the improvement of the humanitarian and social situation in developing countries, in particular, would be tantamount to a desire to perpetuate the highly disquieting situation prevailing in many regions, particularly Africa.

7. The themes of the programmes submitted to us for consideration each reflect a facet or aspect of the priority work which must guide our activities both as envisaged and as implemented in the field.

8. There is no need for my delegation to add, in conclusion, that the interest accorded the right to development should equal that accorded to other human rights, since they are indissociable and indivisible.

Nicaragua

[Original: Spanish]

1. Many will question the purpose of this exercise; others will perhaps be of the view that we must avoid duplication of work and that we should refrain from discussing in the Third Committee matters which fall within the competence of the Fifth Committee.

2. Nevertheless, for my delegation the fact that the Chairman of the Fifth Committee has sought the views of the Third Committee, and still more the fact that we have been given an opportunity to devote a meeting within our programme of work to the expression of our points of view on agenda item 114, Programme planning, is of great importance and significance.

3. This is so because even though this item is considered by the Advisory Committee on Administrative and Budgetary Questions, the Committee for Programme and Coordination and the Economic and Social Council, the Third Committee's perspective on the programmes within its competence, which include, programmes 5, 12, 13, 19 and 21, has a broader political significance, since in the Third Committee all Member States are represented, which is not the case in the bodies referred to above.

4. We believe that this is part of the process of intergovernmental consultation that must exist within the United Nations, in this case between the Second, Third and Fifth Committees, the Economic and Social Council and its functional commissions, as Mr. Desai said recently.

5. The Third Committee is responsible for developing analytically and approving and defining relevant norms so that every one of the United Nations programmes in the social sphere can be implemented. It goes without saying that the results of our work provide the focus and rationale and serve as an institutional framework for the various United Nations social programmes.

6. Accordingly, it is eminently logical that the Fifth Committee should seek the views of both the Second and the Third Committees. We believe that the results of this exchange of views will provide support and a firmer argument for our colleagues in the Fifth Committee when they are called upon to review the budgetary proposals relating to the various programmes, particularly since at this session, there is a tendency to put forward the argument of a financial crisis in order to reduce the budgets of some of the programmes which are of particular interest to developing countries.

7. Accordingly, Nicaragua supports the statements on programme 19, Human rights, made by the Ambassador of Costa Rica on behalf of the Group of 77 and China and by the representative of Colombia on behalf of the Non-Aligned Movement.

8. In conclusion, we believe it important to emphasize that, while we are aware of the importance of the need to make some budget cuts so as to move towards a solution to the Organization's financial crisis, the cutting must in no way affect programmes in the economic and social spheres or programmes which are of special interest to developing countries.

9. We must be extremely careful in taking decisions of this kind, which should not be based solely on financial considerations but rather should take into account the political commitments we have made over many years following various world conferences. It seems to us, rather, that we must insist on the importance of compliance with the commitments made regarding the payment of outstanding contributions as one means of helping to resolve the financial crisis facing the Organization, instead of undermining economic and social programmes.

Argentina

[Original: Spanish]

1. My delegation welcomes the invitation by the Chairman of the Fifth Committee regarding agenda item 114 and would like to add some comments to those made by the representative of Costa Rica on behalf of the Group of 77.

2. The Argentine delegation reiterates the importance it attaches to the medium-term plan, which constitutes the main United Nations policy guidelines and provides the framework for the biennial programme budget. It is thus our view that budget reductions cannot be a sufficient justification for setting aside our priorities. My delegation regards the strengthening of the mechanisms for the promotion and protection of human rights as being of the highest importance.

Chile

[Original: Spanish]

1. My delegation supports the statements made by the delegations of Costa Rica and Colombia on behalf of the Group of 77 and China and the Non-Aligned Movement, respectively.

2. The delegation of Chile believes that the proposed medium-term plan constitutes a collective effort to reorient the work of the United Nations system towards the social sector and the human person. We therefore hope that the plan will be approved by the General Assembly.

Ecuador

[Original: Spanish]

1. My delegation welcomed with great interest the letter dated 26 September 1996 from the Chairman of the Fifth Committee addressed to the Chairman of the Third Committee (A/C.3/51/5), in accordance with the proposed improvement of the consultative process for the formulation of the medium-term plan for the period 1998-2001, and it has studied carefully the programmes submitted to the Committee for Programme and Coordination.

2. Any process of change involves sacrifices; any transformation is the result of a series of compromises. However, the restructuring process in which we are currently engaged cannot lose sight of the main objectives that unite us.

India

[Original: English]

First of all, we would like to associate ourselves fully with the statement made by Costa Rica on behalf of the Group of 77 and China on programmes 5, 12, 13 and 21 of the medium-term plan and the statement made by Colombia on behalf of the Movement of Non-Aligned Countries on programme 19, Human rights. We also welcome the opportunity to express our views on aspects of the medium-term plan which relate to the work of the Third Committee before the consideration of the item on programme planning in the Fifth Committee.

United States of America

[Original: English]

1. The United States would like to take this opportunity to express, for the record, its views on the programmes of the medium-term plan that have been referred to the Third Committee for comment.

2. The medium-term plan is meant to be a tool in providing substantive programme planning that can then be used in preparing future budgets. Unfortunately, consensus was not reached on the medium-term plan for the years 1998-2001 during the deliberations of the Committee on Programme and Coordination (CPC), yet the budget process for the next biennium has, of necessity, already begun. My delegation wishes to note that a similar fate befell the previous medium-term plan.

3. The United States regrets that this process is not working as it should. In our remarks during the discussion of the medium-term plan at the CPC, we summarized our views, which I would like to briefly report here, for the record. We felt that the CPC should fulfil its role of reviewing both the programme and the budget aspects of the Organization's activities and, through its recommendations, ensuring that activities and resource allocations of the United Nations faithfully reflect the mandates and priorities set by Member States.

4. The document reflecting the work of the CPC (A/51/16 (Part II)), the document of record that has been referred to the Fifth Committee, accurately reflects our substantive views on those programmes. Therefore, we will not repeat our comments on the programmes which the Committee recommended for approval. These are the programmes dealing with crime prevention and criminal justice; international drug control; and protection and assistance to refugees.

Panama

[Original: Spanish]

1. My delegation supports the statement made by Costa Rica on behalf of the Group of 77 and China. The delegation of Panama believes that the consideration of agenda item 114 is of the highest importance to the future of the United

Nations. Document A/51/6 (Perspective), expresses a large measure of confidence that the United Nations can continue to uphold its universality, strengthen its capabilities and harmonize its actions with the mandates issued by the Member States.

2. The reference to the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations as one of the sources that inspired the Secretariat in the preparation of this document seems relevant to my delegation. That Declaration was adopted by consensus by the General Assembly at its fiftieth session, and its content is attentive to the concerns and proposals which have marked the history of the United Nations for 50 years.

Programme 5. Policy coordination and sustainable development

Nicaragua

[Original: Spanish]

1. My delegation would simply like to reaffirm the importance of programme 5 on policy coordination and sustainable development, especially at a time when that programme, without abandoning the policy development process which has been under implementation over the past several years, is facing the challenge of putting those policies into practice. In our view, now more than ever before, the programme needs to be strengthened and receive the necessary resources to implement all the commitments made at the various world conferences, these being issues of primary importance to developing countries.

2. Nicaragua believes that in paragraph 5.4 (b) of this programme, the words "in particular in the developing countries" should be added after the words "for the enhancement of the effectiveness of operational activities for development".

Subprogramme 5.2. Advancement of women

Group of 77 and China

[Original: English]

In paragraph 5.6, when defining the principal mandate of activities of the Division in the follow-up to Beijing, reference is made to increasing the interaction with civil society, which we support. Nevertheless, in order to complete the idea, there should be a priority reference to the role of the Governments as being primarily responsible at the national level for the implementation of the outcome of the Beijing Conference. The proposal adequately reflects the priorities established in the follow-up to the Conference.

Nicaragua

[Original: Spanish]

With regard to subprogramme 5.2, Advancement of women, my delegation feels an obligation to give its resolute support to the Division for the Advancement of Women, which has responsibility for seeking support for the implementation of the Beijing Declaration and Platform for Action. We are very pleased to note the work performed by the Division, especially in ensuring that the gender perspective and focus is taken into consideration not only in activities relating to women, but in the formulation of development policies in general.

Ghana

[Original: English]

1. Permit me to raise an issue which is not even reflected in the paper under consideration. This relates to the issue of the advancement of women and the implementation by the United Nations of the Beijing Declaration and Platform for Action. I should like to know whether anybody in the Secretariat can explain why this was omitted from the list of issues brought to the attention of the Committee. My delegation participated in the debate in the Committee for Programme and Coordination on the issue and it was agreed to ensure that mainstreaming of a gender perspective in the work of the United Nations was reflected in all programmes. That is why we are concerned that the Third Committee has not been given the opportunity to express its views on it in the proposed medium-term plan for the period 1998-2001.

2. Last year, the Secretariat failed to make provision in the programme budget for 1996-1997 to enable the Division for the Advancement of Women to carry out its additional responsibilities and we had difficulty even holding meetings to draft the optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

3. Moreover, we wish to place on record our displeasure at the fact that, even when legislative approval was given for the recruitment of staff to strengthen the Division for the Advancement of Women, latter-day imposed measures to deal with the financial crisis of the United Nations did not make it possible, thus preventing the Division from carrying out its programmes as mandated by the Platform for Action.

4. We wish to ensure that this situation is not repeated and that all implementing agencies provide the necessary inputs for all activities relating to the realization of the objectives of the Platform for Action. As has been said before, legislative mandates should be carried out in full. That is the only way to make a difference in the life of women and that is why we think that the issue of the advancement of women and the implementation of the outcome of the Beijing Conference should have been included in this discussion.

Subprogramme 5.3. Social development

Group of 77 and China

[Original: English]

1. In paragraph 5.9, subparagraph (b), when mentioning the activities relating to the assistance to social groups, namely the aged, youth and the disabled, there should be a reference to the family.

2. The proposal adequately reflects the priorities established in the Copenhagen Summit.

3. We must stress the importance that our Group attaches to the work of the Commission on Social Development in the follow-up to the Copenhagen Summit after having been appropriately strengthened when it was decided by the Economic and Social Council that it should meet annually instead of biennially, increase its membership from 32 to 46, and ensure a minimum of eight working days, which is the minimum needed for a better and more efficient fulfilment of its mandate. We are very interested in the availability of resources for this purpose.

Nicaragua

[Original: Spanish]

1. Regarding subprogramme 5.3, Social development, we hope that the recommendation of the Committee for Programme and Coordination to delete the words in brackets in paragraph 5.9 (c) will be accepted.

2. In paragraph 5.4 (d), we would like to see the words "including greater coordination with the Bretton Woods institutions" added at the end.

Programme 12. Crime prevention and criminal justice

Group of 77 and China

[Original: English]

1. In paragraph 12.3 (b), the objective should be stated as "to support the strengthening of", rather than "to strengthen" the capacity of Governments to reform or revise their legislation and criminal justice systems and to establish or strengthen their institutions and mechanisms for the detection, investigation, prosecution and adjudication of various types of crime. That is a sovereign prerogative of the States, while the United Nations system should support and facilitate such efforts. A reference should be made to the principle of the consent of the State to this collaboration.

2. Similarly, in paragraph 12.3 (c), the third sentence, which begins: "The work of the programme will result in improved ...", should read instead: "The work of the programme will enable support to the improvement of ...". In the

same paragraph it is important to add "trafficking and sale of children and their organs" as another form of transnational crime.

Japan

[Original: English]

With regard to programme 12, my delegation is pleased that due attention will be given to firearm regulation measures, in accordance with the programme objectives listed in the proposal of the Secretary-General, since my delegation regards that project as very important to the work of the United Nations in this field.

Programme 13. International drug control

Group of 77 and China

[Original: English]

1. The role of the United Nations International Drug Control Programme (UNDCP) and the Heads of National Drug Law Enforcement Agencies (HONLEA) should be mentioned.

2. In paragraph 13.2, reference should be made to resolutions 49/168 of 23 December 1994 and 50/148 of 21 December 1995, which are an essential part of the mandate of the United Nations programme in the area of international drug control.

3. In paragraph 13.3, in referring to the development of international norms and standards for drug control, reference should be made to "universal acceptance".

Japan

[Original: English]

1. With regard to programme 13, my delegation attaches the greatest importance to the objectives presented in paragraphs 13.6 (d), 13.7 (b) and (c), and 13.8 (a), (b) and (c) for reasons that it has already explained in the Committee for Programme and Coordination. In particular, it hopes that the International Narcotics Control Board will be provided with the resources it needs to fulfil its responsibilities under the international drug control conventions.

2. It is also the understanding of my delegation that crime prevention and the International Drug Control Programme will continue to be priorities of the United Nations in the medium-term plan for the period 1998-2001 as they were in the previous medium-term plan.

Programme 19. Human rights

Cuba

[Original: Spanish]

1. We support the efforts of the High Commissioner for Human Rights to reflect in the new proposal the priorities established at the Vienna Conference and in the resolutions of the General Assembly. Special mention should be made of the initiatives which the High Commissioner has carried out personally in the implementation and follow-up of the Declaration on the Right to Development. While we recognize that the proposal constitutes a good basis for discussion, we consider that some outstanding concerns need to be addressed.

2. In paragraph 19.1 the specific reference to principles included in the Vienna Declaration should be avoided if the list is not exhaustive.

3. Paragraph 19.3 (j) does not appear to be appropriate among the list of programme objectives. The inclusion of a human rights dimension in peacekeeping operations has been of a casuistic nature and has not achieved the generalization which would justify its mention among the main objectives of the programme.

4. Subprogramme 19.1 includes too many priority objectives to fulfil adequately its mandate of creating a new Branch whose priority goals would include the right to development.

5. A new balance could be created by establishing a fourth subprogramme. It may be recalled that programme 35 for the period 1992-1997 had four subprogrammes, and we see no good reason for restricting the number of subprogrammes.

6. The role of the Centre for Human Rights as a focal point of the activities for the Decades of indigenous people and to combat racism, racial discrimination, xenophobia and related intolerance may also be recalled. The resources to support these actions would be included in the proposal, in subprogramme 1 itself.

7. In summary, we repeat that this subprogramme includes too many priorities to allow it to carry out the mandate with regard to the right to development established in General Assembly resolution 50/214.

Subprogramme 19.2

8. We do not understand the reasoning used to separate support for treaty bodies from support for special procedures. It should be recalled that they were together in programme 35, subprogramme 1, of the medium-term plan for the period 1992-1997.

9. Paragraph 88 of Part II of the Vienna Declaration and Programme of Action mentions intergovernmental efforts to avoid unnecessary duplication. We believe that paragraph 19.9 regarding the special procedures of subprogramme 19.3 should

be transferred to subprogramme 19.2, maintaining the same approach as in the above-mentioned programme 35.

10. We would like to emphasize the need to achieve an adequate balance between human rights promotion and protection activities by dedicating the necessary resources to human rights educational activities, technical assistance provided at the request of interested States, support for the Decades to combat racism and in favour of indigenous people and other activities to promote all human rights.

Egypt

[Original: English]

1. During the current session of the General Assembly, Member States will review a report concerning the restructuring of the Centre for Human Rights. The High Commissioner has drafted a report reflecting his proposals for a new structure.

2. The new structure should reflect the priorities and mandates of the United Nations as developed and approved by the legislative bodies of the Organization. The new structure should not reflect new priorities which have not been approved or debated at the appropriate intergovernmental bodies.

3. The new structure places a particular emphasis on field monitoring operations. There is no legislative mandate for engaging in such activities. Monitoring activities are mandated by the legislative bodies, i.e., the Commission on Human Rights, which decides on a case-by-case basis on the appointment of special rapporteurs.

4. There must be a branch in the new structure focusing on the right to development as requested by the General Assembly in its resolution 50/214 of 23 December 1995 - adopted on the recommendation of the Fifth Committee - section 21, paragraphs 36, 37, 38 and 39. The new structure must not ignore such a decision of the General Assembly.

5. The new structure should not delete the advisory services and technical assistance programme by diluting it in a larger branch whose primary function is monitoring. This integration of technical assistance in monitoring can only be explained by the tendency to introduce conditionality into the provision of technical assistance, which means that some Member States will only be offered technical assistance if they agree to accept the posting of United Nations human rights monitors in their country. In addition, the purpose of diluting technical assistance into a branch focusing on monitoring means that the important financial and staff resources allocated by legislative bodies for technical assistance activities will be misused in non-mandated monitoring activities. This integration of technical assistance into monitoring can only serve the objective of further shifting the focus of the human rights programme into the monitoring of civil and political rights by using all the resources of the Centre for Human Rights to achieve this purpose. This dilution of technical assistance into monitoring and subsequently the attempt to abolish the technical

assistance programme is a direct non-compliance with one of the most important priorities established by the World Conference on Human Rights (Vienna Declaration and Programme of Action, part II, paras. 66, 67, 68 and 70).

6. The High Commissioner has made the decision to begin the implementation of the new structure despite the rejection by Member States in the Committee for Programme and Coordination (CPC) at its 30th meeting, on 21 June 1996, of both the content and the structure of the medium-term plan presented to the Committee by the High Commissioner. The medium-term plan of the Centre for Human Rights is the only one not approved by the CPC and it now needs to be debated and considered by the General Assembly in November. The CPC requested the High Commissioner to create a new subprogramme and a corresponding branch on the right to development and requested the separation of technical assistance from special procedures activities, to be placed in separate management units.

7. For the reasons outlined above, the structure must be in the interest of developing countries. Developing countries need to consider both the medium-term plan and the new structure of the Centre for Human Rights during the upcoming discussions in the General Assembly. The new structure cannot be approved without substantive changes and proper consultation in the appropriate intergovernmental bodies.

European Union

[Original: English]

1. The European Union wishes to comment briefly on programme 19 of the proposed medium-term plan for the period 1998-2001. In keeping with our view that consideration of the medium-term plan is primarily a matter for the Fifth Committee, we shall confine ourselves at this stage to general remarks. Our more detailed comments, as well as our views on other programmes, will be conveyed in the Fifth Committee.

2. In accordance with programme planning regulation 4.2, "the medium-term plan shall be a translation of legislative mandates into programmes. Its objectives and strategies shall be derived from the policy orientations and goals set by the intergovernmental organs." In other words, the purpose of the plan is to ensure that proposed activities of the United Nations system are in accordance with the decisions and priorities already established by the Member States. It should not serve as a pretext for revisiting these decisions.

3. In the case of the human rights programme, its mandate derives from Articles 1, 13 and 55 of the Charter of the United Nations; the Vienna Declaration and Programme of Action; General Assembly resolution 48/141 of 20 December 1993, by which the Assembly defined the mandate of the High Commissioner for Human Rights; international human rights instruments; and decisions taken by the General Assembly and other policy-making bodies.

4. The Vienna Declaration and Programme of Action underlined that all human rights are universal, indivisible, interdependent and interrelated. It added that "the international community must treat human rights globally, in a fair

and equal manner, on the same footing, and with the same emphasis". This principle sets the framework for United Nations action in the field of human rights and must be fully reflected in the medium-term plan. The European Union rejects any suggestion that one might establish a hierarchy of human rights, or that any single human right can be given overarching importance.

5. The Vienna Declaration and Programme of Action also contained a strong commitment from the international community to strengthen the human rights machinery of the United Nations to reflect fully the status of human rights as a priority activity of the Organization. The High Commissioner for Human Rights was entrusted with responsibility for implementing this commitment, under the terms of resolution 48/141. In the same resolution the General Assembly also decided that the High Commissioner shall be the official with "principal responsibility for United Nations human rights activities under the direction and authority of the Secretary-General".

6. Following his appointment, the High Commissioner undertook a valuable and necessary review of the workings of the Centre for Human Rights. This required extensive and wide-ranging consultations and involved an external appraisal by a consultancy firm. The result is a restructuring of the Centre and its work which will provide for greater cohesion and effectiveness and enhance its ability to carry out all aspects of its mandate. The most significant innovation is the division of the Centre into three branches. One will have among its primary responsibilities the promotion and protection of the right to development. The second will provide support services and the third will be responsible for programmes and activities.

7. The European Union is satisfied that the restructuring falls entirely within the competence of the High Commissioner and the provisions of General Assembly resolution 50/214 of 23 December 1995.

8. The proposed medium-term plan for programme 19 is in full conformity with the revised structure of the Centre.

9. The European Union is satisfied that the mandate of the High Commissioner for Human Rights and the decisions of the General Assembly and other policy-making bodies are fully and accurately reflected in programme 19 of the proposed medium-term plan for the period 1998-2001. We consider that it should be adopted unchanged by the General Assembly.

Nicaragua

[Original: Spanish]

We consider that the work of the United Nations High Commissioner for Human Rights merits the Third Committee's support, as Nicaragua believes that the purpose of the United Nations human rights programme, as specified in programme 19, should be to promote universal enjoyment of all human rights, on the understanding that these are interdependent and mutually reinforcing and must be treated globally in a fair and equal manner, on the same footing,

universally, objectively and non-selectively. We trust that the Fifth Committee will approve the proposal and the resources necessary for this programme.

Brazil

[Original: English]

1. In our view, programme 19 illustrates the key role the High Commissioner for Human Rights has been called to play in promoting international cooperation in the field of human rights. It also reflects an approach based on the Vienna Declaration and Programme of Action, which emphasizes the interrelated and interdependent nature of all human rights.

2. Brazil actively and constructively participated in the World Conference on Human Rights and has praised the creation of the post of High Commissioner for Human Rights. We have always pointed out, however, that the volume and the complexity of activities of the High Commissioner could not be coped with satisfactorily without adequate support.

3. We are aware of the difficulties and obstacles faced by the High Commissioner, such as reductions in budget and personnel for human rights activities. Those difficulties represent an additional reason to commend his efforts. At a time of scarcity of resources, his proposals reflect a new approach to the organization of work and should enable the better fulfilment of all the mandates assigned to the High Commissioner and the Centre for Human Rights.

4. We support the ongoing restructuring of the Centre for Human Rights, as proposed by the High Commissioner. We are confident that this process will enhance the efficiency and effectiveness of the Centre. The three new branches are designed to enable the Centre to respond to its growing challenges, such as the promotion and protection of the right to development. Nevertheless, the interesting point raised by Colombia, on behalf of the Movement of Non-Aligned Countries, regarding the question of financial allocations within the branches deserves further consideration.

5. We hope that the efforts of the High Commissioner will attract additional financial support, including from international financial institutions, for activities aimed at strengthening democracy and the rule of law. Brazil attaches great importance to the enhancement of the capacity of the Centre to provide assistance, upon request by interested countries, to national projects aiming at the realization of human rights and the maintenance of the rule of law.

6. We favour the efforts undertaken by the High Commissioner, as the focal point of system-wide attention to human rights, which necessarily include the development dimension. We reiterate our disposition to continue to cooperate with him, in the hope that the universal consensus attained in Vienna may lead, in the near future, to the universal and effective enjoyment of human rights in all parts of the world.

Argentina

[Original: Spanish]

1. We should like to underline our strong support for the human rights bodies and organizations and, especially, for the fundamental task which the High Commissioner for Human Rights, Mr. José Ayala Lasso, is performing in the promotion and protection of human rights and in the successful restructuring of the Centre for Human Rights. We understand that this important work requires our strong support and the allocation of additional resources.

2. We should also like to underline how much the Government of Argentina values the work of the High Commissioner's office in matters relating to the right to development.

Non-Aligned Movement

[Original: Spanish]

1. The Non-Aligned Movement participated actively in the various discussions which led to the inclusion of a subprogramme devoted to the right to development in the proposed medium-term plan.

2. Paragraph 6 of resolution 50/184 and paragraph 38 of resolution 50/214, which were adopted by the General Assembly among other resolutions conferring mandates, are the result of the firm commitment of Member States. They had requested the Secretariat to formulate the appropriate programmatic follow-up to the activities to be carried out by the new branch of the Centre for Human Rights, in particular follow-up to the implementation of the Declaration on the Right to Development.

3. On reviewing this programme, we were pleased to see that the question of the right to development has indeed been included in subprogramme 19.1, although in conjunction with other activities, namely "research and analysis".

4. We would have preferred to have a separate subprogramme devoted exclusively to the right to development. If it has to be integrated with other activities, it is absolutely necessary that we know in advance what percentage of resources will be devoted to the programme activity on the right to development. In other words, how much of the structure of subprogramme 19.1 will be devoted to the right to development and how much to research and analysis.

5. Moreover, with regard to the introductory paragraphs, we consider it necessary to express the Movement's position in relation to the contents of paragraphs 19.3 (b) and (j).

6. Paragraph 19.3 (b) should be drawn up with greater precision; in the current text, it is not clearly indicated that a series of organs within the United Nations system have already been given exclusive competence for "a comprehensive and integrated approach to the promotion and protection of human rights". These organs should be specifically mentioned in the paragraph.

7. There is an unacceptable generalization in paragraph 19.3 (j), which deals with the human rights dimension of peacekeeping operations. Although we recognize the need for coordination between peacekeeping and humanitarian assistance operations, it should be reiterated that these activities need to be clearly differentiated. On no account should peacekeeping operations be initiated except in circumstances where the strict interpretation of events indicate, according to the provisions of the Charter of the United Nations, a threat to international peace and security.

Mexico

[Original: Spanish]

My delegation wishes to take advantage of this opportunity to express its strong support for the work of the United Nations High Commissioner for Human Rights. In particular, we wish to express our support for the restructuring of the Centre for Human Rights that Mr. Ayala Lasso is carrying out in order to increase its efficiency. We also wish to underline how important it is that the Office of the High Commissioner for Human Rights and the Centre for Human Rights should be provided with the resources they need to carry out effectively the different activities assigned to them under their respective mandates.

Chile

[Original: Spanish]

My country strongly supports the protection and promotion of human rights, because they are the basis of all democratic systems. We are very pleased to see the restructuring process being carried out by the High Commissioner for Human Rights in compliance with his mandate. We therefore consider that it should be approved without modification by the General Assembly, and in so doing we manifest our support for the work of the High Commissioner.

Venezuela

[Original: Spanish]

1. With respect to programme 19, we support the restructuring programme initiated by the High Commissioner for Human Rights, which takes into account the Organization's budget crisis, the results of the first step of the process and the requirements stipulated by the General Assembly. We agree with the establishment of the three units envisaged by the High Commissioner and are especially pleased that the right to development has been included in subprogramme 19.1. Duplication has therefore been avoided, and a process of simplification and rationalization necessary for coordinated and efficient implementation has begun.

2. My delegation also believes that it is vitally important to have close collaboration between the Centre for Human Rights and the office of the High

Commissioner. It is to be hoped that, within the new administrative structure the Centre will carry out effectively and efficiently the tasks arising out of the Vienna Declaration and Programme of Action and the mandate of the High Commissioner and will provide the necessary support to the human rights programme.

3. We are also pleased to see that, as the High Commissioner pointed out in his statement of 20 June in the Committee for Programme and Coordination during its thirty-sixth session, this new structure does not necessarily involve a request for new financial resources and is therefore perfectly in keeping with our current financial limitations.

4. My delegation would like to take this opportunity to endorse the statement made on behalf of the Non-Aligned Movement during the meeting of the Committee for Programme and Coordination, concerning the content of paragraphs 19.3 (b) and (j). We believe that the bodies which will contribute to the adoption of a comprehensive and integrated approach to the promotion and protection of human rights should be specified. We also reaffirm the need for a clear distinction between peacekeeping operations and humanitarian assistance activities.

5. Finally, we believe that the highest priority must be given to the new administrative structure proposed by the High Commissioner, which must be seen as a reform aimed at increasing the effectiveness of United Nations activities in the human rights field.

Ecuador

[Original: Spanish]

With reference to programme 19, allow me to set out the reasons why my delegation is convinced that the restructuring process undertaken by the High Commissioner for Human Rights is an initiative which must be supported:

(a) The importance and priority of the right to development has been recognized, it being considered one of the basic human rights, in the context of the general principle that all human rights are universal, indivisible, interdependent and interrelated;

(b) There has been effective follow-up to the Vienna Declaration and Programme of Action, the Declaration on the Right to Development, the commitment undertaken by our Heads of State and Government in the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations and the various resolutions of the General Assembly and other United Nations bodies;

(c) Adjustment to the constraints imposed by the financial crisis of the United Nations is evident, since the High Commissioner has stressed that additional savings have been realized in the already reduced budget allocated to human rights;

(d) The 14 objectives set out in the proposed medium-term plan duly reflect the new structure of the Centre for Human Rights and represent a true challenge for the High Commissioner.

Canada, Australia and New Zealand (CANZ Group)

[Original: English]

1. The CANZ Group supports approval of the proposed medium-term plan for human rights for the period 1998-2001, as outlined in document A/51/6 (Prog. 19). We support the efforts of the High Commissioner for Human Rights to improve the efficiency and effectiveness of the Centre for Human Rights. Much necessary and good work has been done already and we urge that this process be completed.

2. The CANZ Group of countries believe that it is essential that the High Commissioner and the Centre be provided with adequate human and financial resources for the fulfilment of their important tasks.

Dominican Republic

[Original: Spanish]

1. The delegation of the Dominican Republic supports the statement made by the representative of Costa Rica, on behalf of the Group of 77 and China and has comments on programme 19 of the proposed medium-term plan contained in document A/51/6.

2. In creating the post of High Commissioner, the General Assembly conferred on Mr. Ayala Lasso responsibility for supervising the Centre for Human Rights and for rationalizing, adapting, strengthening and simplifying the United Nations machinery for human rights with a view to improving its efficiency and effectiveness. Following a study of the programming and administrative practices in the Centre's secretariat, a restructuring plan was drawn up with the full participation of the High Commissioner, the Assistant Secretary-General for Human Rights and the staff of the Centre, in coordination with the central administration. As can be seen from the plan, the restructuring is not an end in itself but rather the beginning of a process to reform the Centre for Human Rights with a view to increasing the flexibility and efficiency of United Nations activities in the human rights field.

Costa Rica

[Original: Spanish]

1. My delegation attaches vital importance to programme 19.1, given that the purpose of the United Nations human rights programmes is to promote universal enjoyment of all human rights by giving practical effect to the commitments undertaken by the international community in Articles 1, 13 and 55 of the Charter of the United Nations and in the Vienna Declaration and Programme of

Action adopted by the World Conference on Human Rights and endorsed by General Assembly resolution 48/121 of 20 December 1993. For my delegation this represented the attainment of a goal first stated in 1964: that the office of a United Nations High Commissioner for Human Rights should be created. We were therefore especially gratified by the adoption without a vote of resolution 48/141 on 20 December 1993, which established, after a 29 years' delay, the post of United Nations High Commissioner for Human Rights and laid down his mandate. The programme is based on the principles of the Vienna Declaration, including the principle that democracy, development and respect for human rights are interdependent and mutually reinforcing and that all human rights are universal, indivisible, interdependent and interrelated and must be treated globally in a fair and equal manner, on the same footing and with the same emphasis, universally, objectively and non-selectively. We are pleased that the programme is under the responsibility of the United Nations High Commissioner for Human Rights and that its objectives include providing leadership on human rights issues, emphasizing the importance of human rights on the international and national agendas, promoting international cooperation for human rights, stimulating and coordinating action across the whole United Nations system and, finally, the series of important issues set out in paragraph 19.2 of document A/51/6 (Programme 19). We would, however, highlight the last part of that paragraph, which emphasizes preventive action and promoting the establishment of national human rights infrastructures, developing field activities and operations and providing education, information, advisory services and technical assistance in the area of human rights. We are pleased to see that emphasis is being given to this component, and not merely to protection, because such an important part of the programme requires support from all quarters if there is to be a positive outcome.

2. Paragraph 19.3 sets out expectations for the end of the period covered by the plan and states what results are aimed at. My delegation welcomes all the paragraphs of the plan, from (a) to (n), which we consider very pertinent and necessary, but we should like to highlight (i) on programmes to assist States, (j) on the inclusion of a human rights dimension, as appropriate, in peacekeeping operations, (k) on the full integration of the human rights of women and the girl child in the activities of the United Nations system as a whole and its human rights machinery in particular, and (m) on the establishment of effective programmes of education and public information and the strengthened participation of non-governmental organizations, national institutions, and civil society in United Nations human rights activities at all levels.

3. We have been very satisfied with the efficiency and dedication shown by the High Commissioner, Mr. Ayala Lasso, in carrying out his mandate. The General Assembly showed its confidence in him through the positive statements made by many delegations from the various groups and regions of the world when the resolution creating his position was adopted. We are now able to see him in action, as he interprets and discharges his mandate, despite the difficulty of carrying out his many, sensitive responsibilities with inadequate financial and human resources. My delegation would like to record its appreciation of his unflagging efforts and express the hope that some means may be found to provide him with the support he needs to fulfil his many obligations.

4. I will be brief, given the time constraints, but I should like to add that we support subprogramme 19.1, Right to development, research and analysis, and paragraphs 19.4, 19.5 and 19.6 in their entirety.

5. We also support subprogramme 19.2, Supporting human rights bodies and organs, the content of paragraph 19.7 and subprogramme 19.3, Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities, covered in paragraphs 19.8, 19.9 and 19.10, which complete this valuable and vital programme, whose purpose is to ensure that universal respect for and enjoyment and implementation of human rights are achieved and become a wonderful reality at the dawn of the new millennium.

India

[Original: English]

1. At the meetings of the Committee for Programme and Coordination in July/July and September 1996, our delegation had made known its views on certain aspects of the medium-term plan for the period 1998-2000 which were unclear to us. These related, among other things, to the possibility that the right to development might not get the attention that was mandated to it under resolution 50/214 among the various responsibilities of the unit entrusted with the "right to development, research and analysis" in the restructured Centre for Human Rights, to the efficacy of a functional, across-the-board approach over the thematic approach in the restructuring process, and to other specific issues relating to the programme such as paragraph 19 (j) dealing with human rights and peacekeeping. I need not belabour these as they have already been expressed in the statement made by Colombia on behalf of the Movement of Non-Aligned Countries. These observations remain valid but not insurmountable if we remain faithful to the relevant mandates.

2. The fact that we have raised these issues does not mean that we doubt the High Commissioner's sincerity or his commitment to development as providing a superior basis for the enjoyment of human rights. On the contrary, we would like to assure him of our support. We would like to be sure that the development dimension of human rights is kept firmly in focus. And we would like to see how this understanding informs the implementation of the human rights programme, cross-sectorally, as a whole. We have taken into account the High Commissioner's repeated assurances that the implementation of the right to development is fundamental to his restructuring effort. We note, in particular, the steps he has taken to initiate a dialogue with multilateral and regional financial and economic institutions on the implementation of the right to development. We hope this will be pursued and deepened. We believe that by encouraging a more favourable international environment for development the Centre will actually contribute to human rights as a whole by creating better conditions for promoting social progress and better standards of life in larger freedom. We would also like the technical assistance programme which we regard as a key component of the human rights programme strengthened and given due attention. This too corresponds to the development dimension that we have emphasized.

3. In view of these assurances, it would be fair to allow the High Commissioner the chance to put his commitment to the right to development to practical effect and to judge him by the results of his efforts as he has sought. Financial uncertainty undermines the efficiency of the Secretariat as a whole. The Centre should be able to count on a more secure financial basis from the regular budget so that in implementing the programme it cannot only be independent, but also be seen to be independent of influence or micro-management under financial pressure from any quarter. We should give the High Commissioner this opportunity, and will keenly await the results of his efforts.

United States of America

[Original: English]

Unfortunately, the Committee for Programme and Coordination was notably unable to reach consensus on the medium-term plan for the human rights programme. The United States fully supports the proposed programme as outlined in A/51/6 (Prog. 19). Human rights activities in the United Nations are now and will continue to be a very high priority for the United States. We also support the High Commissioner's restructuring of the Centre. The High Commissioner's restructuring is consistent with relevant General Assembly resolutions on the subject, in particular, resolution 50/214 of 23 December 1995, adopted on the recommendation of the Fifth Committee. We shall be taking this position in the discussion on the Human Rights Centre in the Fifth Committee.

Japan

[Original: English]

While my delegation regrets that the Committee for Programme and Coordination failed to reach a consensus on programme 19 (Human rights), it supports the subprogrammes contained in the proposed medium-term plan for the period 1998-2001. In this regard, although some delegations have expressed concerns about the restructuring of the Centre, some of which may be quite legitimate, my delegation supports the current efforts of the High Commissioner to restructure the Centre, in the hope that this will further improve its management and, as a result, the efficiency of its work.

Panama

[Original: Spanish]

1. With respect to programme 19 (Human rights), my delegation reaffirms its support for the High Commissioner, under whose mandate this programme is. Since his appointment Mr. Ayala Lasso has successfully discharged some of the allotted tasks, while others remain at the stage of promises. As regards the latter category, my delegation renews its willingness to cooperate and recognizes that the successful completion of this programme depends on the cooperation of Member States.

2. All action concerned with human rights requires the development of a genuine human rights practice and a genuine human rights code of ethics. In addition, there must be the necessary objectivity and rigour to safeguard the independence in human rights terms of any thought or any individual interpretation of reality.

3. For the United Nations the challenge during the years ahead will be to build and promote human rights action that both upholds standards and receives the political and financial backing of Governments and civil society. The norms which the United Nations has established have their roots in the public opinion of its peoples. The Charter of the United Nations is very clear on this point: "We the peoples of the United Nations ...".

4. The proposed human rights programme introduces innovations which, in our opinion, tend to affirm more strongly the presence of the United Nations, in keeping with the specificity of its role, in the development of new categories of human rights and the systematic promotion of the teaching and dissemination of human rights. The expectations in the matter of anticipating serious violations and the reaction to such violations are also innovative.

5. My delegation considers that the proposed programme should be accompanied by a strengthening and rationalization of existing United Nations structures, since this would be the only way of ensuring that United Nations action can deal adequately with the ethical problems generated by the growing complexity of life in society and is on a par with the advances in science and technology. In a word, my delegation is in favour of strengthening the human rights capabilities of the United Nations.

Ghana

[Original: English]

1. With regard to programme 19, Human rights, we wish to reiterate our support for the principles enunciated in the Vienna Declaration that human rights are interdependent, mutually reinforcing, indivisible and interrelated and should therefore be treated in an equal manner and in a spirit that respects objectivity and non-selectivity.

2. In this connection, my delegation fully supports the work of the High Commissioner for Human Rights and the restructuring he is carrying out at the Centre to give full meaning to the whole spectrum of human rights concerns in the United Nations system.

3. For some time now, there has been a continuous attempt to emphasize one set of human rights at the expense of the other and we see the new attention given to economic and social rights, and in particular the right to development, as a worthy effort to balance human rights concerns in keeping with the Vienna Declaration. This is why we support subprogramme 19.1 and agree with the Movement of Non-Aligned Countries that it should be a separate sub-group exclusively focused on the issue of development.

Islamic Republic of Iran

[Original: English]

Regarding the proposed medium-term plan for the period 1998-2001 (Programme 19. Human rights), my delegation presented its viewpoints thoroughly at the meeting of the Committee for Programme and Coordination on 21 June 1996, and therefore I am not going to repeat those views, which were largely shared by a considerable number of delegations.

South Africa

[Original: English]

1. My delegation wishes to raise briefly a few points about programme 19:

2. The High Commissioner for Human Rights was given a mandate by the General Assembly, a mandate he prudently engineered amidst the difficult circumstances facing his good office. His proposals are products of two years of study and debate within the Centre. In many ways the proposals mirror the debate about the reform of the United Nations in general. It should therefore come as no surprise that they have been accompanied by controversy.

3. It is our sincere belief that the Centre was in need of restructuring and was unable to meet its commitments either to States, to treaty bodies or to special rapporteurs. The changes proposed will allow the High Commissioner to respond more rapidly and substantively to crisis situations.

4. In sum, the proposals should be seen as a good-faith attempt by the High Commissioner to respond better to current realities. Many officials talk about United Nations reform but so far the High Commissioner is one of the few senior officials to have undertaken any radical action. It should also be recalled that the Centre continues to suffer from inadequate financial and personnel resources. We either have to ameliorate this burden or to perpetuate it.

5. In view of the fact that the High Commissioner's proposals are not cast in stone, we urge all Member States to give the High Commissioner their maximum and unqualified support. If his proposals fail, which is unlikely, it should not be because of lack of cooperation from Member States.

6. Finally, the debate about the controversy which rages over the substantive elements of the new structure should take place during the time allocated to the debate on human rights.

Indonesia

[Original: English]

With regard to programme 19, the position of my delegation has been clearly stated during the session of the Committee for Programme and Coordination in

July 1996. Many delegations from the developing countries have also expressed their views, particularly on the issue of the right to development. I strongly believe that the Secretariat will reflect the views and position of the developing countries in its communication to the Fifth Committee.

Programme 21. Protection and assistance to refugees

Group of 77 and China

[Original: English]

The programme has been prepared respecting the legislative basis applicable to this area. We support the content of the proposal since it maintains an integral criteria in the approach to the attention of refugees.